

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-460162-001 DT

08/25/2015

COMMISSIONER J. JUSTIN MCGUIRE

CLERK OF THE COURT
K. Apodaca
Deputy

STATE OF ARIZONA

FRANKIE JONES

v.

DAVID WAYNE MEISS (001)
DOB: 08/10/1984

MICHAEL L SCANLAN

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

DISPOSITION HEARING - PROBATION REINSTATED WITH REVOCATION
ARRAIGNMENT/VIOLATION HEARING

11:05 a.m.

Courtroom #3 CCB LL

State's Attorney:	H. Bernick
Defendant's Attorney:	M. Scanlan
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Defendant was present for the group advisement given on the record at 10:40 a.m. this date in CCB LL in Courtroom #3.

The Defendant admits violation of probation for condition 6.

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The admission is accepted and entered of record.

The Defendant is advised of the right to disposition hearing within the statutory time limits and the right to a written probation violation report.

Disposition proceeds at this time.

The Court finds Defendant has violated the conditions of probation previously imposed.

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), continuing the defendant on probation beginning 08/25/2015:

Count 2: With a revised expiration date of 05/02/2016.

Length of Probation: 18 months

Count 4: With a revised expiration date of 05/02/2016.

Length of Probation: 18 months

IT IS ORDERED that probation in Count 2 shall run concurrent with probation in Count 4.

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month.

DELINQUENT PROBATION SERVICE FEES: Count 2 - \$65.00 payable \$10.00 per month.

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FINE: Count 2 - Total amount of \$1372.50, which includes surcharges of 83%, payable \$25.00 per month.

PROBATION ASSESSMENT: Count 2 - \$20.00.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

WARRANT CHARGE: Count 2 - \$45.00 payable \$(to be determined) per month.

PENALTY ASSESSMENT - A.R.S. § 12-116.04: Count 2 - \$13.00.

Investigative Agency:

Phoenix Police Department

Count 2: Technical Registration Fund in the amount of \$15.00.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 18: Count 4: Be incarcerated in the county jail for 22 day(s), beginning 08/25/2015 with credit for 0 day(s) served.

Not to be released until 09/15/2015.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Condition 22: Other: Forfeit interest in the seized weapon and items. Pay the cost of DNA testing.

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is reminded that failure to maintain contact with the Probation Department as required by your Probation Officer may result in the following orders being issued against you:

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1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion To Dismiss the allegations of violation of the remaining term(s) as set forth in the Petition To Revoke.

Count(s) 4: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide the terms of probation.

11:11 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER J. JUSTIN MCGUIRE
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)